

MESSAGE NO: 6166305 MESSAGE DATE: 06/14/2016

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: COR-Correction

FR CITE: FR CITE DATE:

REFERENCE 1364303, 2053301, 6118303  
MESSAGE #  
(s):

CASE #(s): A-583-837

EFFECTIVE DATE: 04/27/2016 COURT CASE #: 15-1054; 11-00535

PERIOD OF REVIEW: 07/01/2009 TO 06/30/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Correction of message 6118303, dated 04/27/2016, concerning the antidumping duty order on polyethylene terephthalate film, sheet, and strip from Taiwan (A-583-837)

1. This is a correction to message 6118303, dated 04/27/2016 to correct paragraph 2 and to remove paragraph 3 of that message.
2. Paragraph 2 of message 6118303 mis-identified the company case number for Nan Ya Plastics Corporation, Ltd. as A-583-837-003. Instead, the correct company case number for Nan Ya Plastics Corporation Ltd. was A-583-837-002. Paragraph 3 of message 6118303 does not apply. Below is the fully corrected message.
3. On 01/19/2016, the Court of Appeals for the Federal Circuit issued a final decision in the case of Nan Ya Plastics Corporation, Ltd. v. United States (Fed. Cir. Court No. 15-1054) (CIT Court No. 11-00535). As a result of this decision, the injunction to which messages 2053301 and 1364303 refer enjoining liquidation of entries which are subject to the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from Taiwan for the period 07/01/2009 through 06/30/2010 produced and/or exported by Nan Ya Plastics Corporation, Ltd. dissolved on 04/18/2016.
4. For all shipments of PET film from Taiwan produced and/or exported by Nan Ya Plastics Corporation, Ltd. (A-583-837-002), and which were entered, or withdrawn from warehouse, for consumption during the period 07/01/2009 through 06/30/2010, assess an antidumping liability equal to 74.34 percent of the entered value. Entries may have also been made under A-583-837-000.
5. Message 6118303 constitutes notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 4. Accordingly, notice of the lifting of suspension occurred on 04/27/2016, the date of message 6118303. Unless instructed otherwise, for all other shipments of PET film from Taiwan you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
6. There are no injunctions applicable to the entries covered by this instruction.

7. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

8. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

9. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVII:GC.)

10. There are no restrictions on the release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party